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REMARKS

The Final Office Action mailed on May 18, 2006 has been reviewed and the Examiner's comments have been carefully considered regarding pending claims 1-50. Claims 45-51 are now canceled and new claims 51-56 are added. Therefore, claims 1-34 and 42-56 remain in the case.

Applicants amend the specification to include information regarding the temperature sensing of the wash chamber. Paragraph 0089 (page 35, line 18) now includes text in which describes the temperature sensing and adjusting of the wash chamber. This amendment does not constitute new matter as this information is recited in original claims 11, 21, 34, and 45 of the original application. The specification is also amended, paragraph 0147 (page 61), to include a method of cleaning in which a water-in-working fluid emulsion is present. Support for the amendment is present in the claims, for example claim 12, in which this method is recited in its entirety. Additional support is present in the written description in paragraph 0141 in which water is employed as a co-solvent and in paragraph 0147 in which the wash liquor composition used in laundering, for example in a laundering machine, includes a co-solvent, one of which can be water. This method is also recited in its entirety in claim 12.

Support for new claims 50-56 pertaining to laundering apparatus having components which contact the working fluid and dissipate static charge is found in original claim 1, paragraph 0026 (page 5, lines 8-9), and paragraph 0040 (page 12, lines 12-23).

Support for new claims 57-60 relating to initial moisture content of the fabric and a dehydration step to remove water prior to the wash step is found in paragraph 0066 (page 24, lines 6-12) and paragraph 0095 (page 37, lines 14-18).

Claim Rejections – 35 USC §112

I. Rejection of Claims 3, 16, 44 and 45

Claims 3, 16, 44 and 45 are rejected under 35 USC §112 for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention in use of the language “conductive polymer”.

Claims 3, 16, 44 and 45 are now amended to clarify that the components of the automatic consumer-operated laundering apparatus dissipate static charge. As mentioned above, support for amendment is found in original claim 1, paragraph 0026 (page 5, lines 8-9), and paragraph

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0040 (page 12, lines 12-23) of the written description as originally filed.

Applicants respectfully request withdrawal of the rejection of amended claims 3, 16, 44 and 45 which are not indefinite under 35 USC §112.

II. Rejection of Claims 3, 27, 37, 38, 44 and 45

Claims 3, 27, 37, 38, 44 and 45 are rejected under 35 USC §112 for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention in use of the language "materials".

Claims 3, 27, 44 and 45 are now amended to recite components of the automatic consumer-operated laundering apparatus dissipate static charge. As described above, support can be found in paragraph 0040 of the written description as originally filed.

Applicants respectfully request withdrawal of the rejection of amended claims 3, 27, 44 and 45 which are not indefinite under 35 USC §112.

Claim Rejections under 35 USC § 102

III. Claims 1, 2, 4, 35, 36 and 39 are not obvious under 35 USC § 102 as being anticipated by Estes, et al. (US 6,045,588).

Claims 1, 2, 4, 35, 36 and 39 stands rejected under 35 USC § 102 as being anticipated by Estes, et al. (US 6,045,588).

Claim 1 is now amended to recite that the method of cleaning is in an automatic consumer-operated laundering apparatus comprises components which are in contact with the working fluid and which dissipate static charge. Support for the amendment is found in paragraph 0026 (page 5, lines 8-9) and paragraph 0040 (page 12, lines 12-23). Estes et al. do not disclose that the components of the laundering apparatus dissipate static charge.

Claims 35, 36 and 39 are now canceled.

Applicants respectfully request withdrawal of the rejection of claims 1, 2, and 4 which are not anticipated under 35 USC § 102.

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Claim Rejections under 35 USC § 103

IV. Claims 5, 6, 7, 8, 12-15, 17, 18 and 22 are not obvious under 35 USC § 103 as being unpatentable over Estes, et al. (US 6,045,588), in view of Evers, et al (US 2003/0097718).

Claims 5, 6, 7, 8, 12-15, 17, 18 and 22 stand rejected under 35 USC § 103 as being unpatentable over Estes, et al. in view of Evers et al. The USPTO states that it would have been obvious to one of ordinary skilled in the art to modify the dry cleaning methods taught by Estes, et al. by “incorporating a water-in working fluid treatments as taught by Evers, et al.....”.

Claims 5-8 ultimately depend from claim 1 which is now amended. Neither Estes et al. nor Evers et al. disclose a method in which the laundering apparatus comprises components contacting the working fluid which dissipate static charge.

With regard to claims 12, column 2, paragraphs 0018-0027 of Evers et al. disclose methods of sequential cleaning. That is, the fabric is treated in series with non-aqueous and semi-aqueous cleaning steps, in which the treatment order can be reversed. Applicants' independent claim 12 recites a different method in which the working fluid and the adjuvant are brought into contact while introducing a water-in-working fluid emulsion into the chamber. Accordingly, claims 13-15, 17, 18 and 22 which depend from claim 12 are not obvious in view of the cited references.

Applicants respectfully request withdrawal of the rejection of claims 5, 6, 7, 8, 12-15, 17, 18 and 22 which stand rejected under 35 USC § 103 as being unpatentable over Estes, et al. (US 6,045,588).

V. Claims 9-11, 19-21, 24-26, 28-34, 42, 43, 45 and 47-49 are rejected under 35 USC 103(a) as being unpatentable over Estes, et al. (US 6,045,588) and Evers, et al. (US 2003/0097718), in further of view of Fyvie, et al. (US 2004/0117920).

The USPTO states that it would have been obvious to one of ordinary skilled in the art to modify the cleaning methods taught by Estes, et al. and Evers, et al. by incorporating the temperature, solvent/moisture, humidity and conductivity sensing steps as taught by Fyvie, et al. because Fyvie teaches “the utility of sensing the above mentioned parameters to provide a more efficient cleaning of fabric articles”.

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Claims 9-11 and claims 19-21 are not obvious over Estes et al. in view of Evers et al. and Fyvie et al. for the reasons described above with respect to claims 1 and 12 described above.

Furthermore, Fyvie et al. which discloses the use of sensors to measure the retained moisture as a percentage of an article's weight (paragraph 0092) and the amount of volatile solvent fluid after drying (paragraph 0093) is not detecting the level of fluid in the wash chamber as recited in claim 9, 19, and 48.

Also, Fyvie et al. does not disclose sensing the initial moisture content of the fabric as recited in Applicants' claims 10, 20, and 30 (sensing humidity of fabric to be cleaned). Fyvie et al. discusses sensing the moisture content after the fabric has been washed and dried.

With regard to sensing the temperature, Fyvie et al. disclose sensing the temperature of the airflow that circulates between the cleaning basket and the air management mechanism to determine whether the airflow is entraining specified amount of the solvent (paragraph 0076) rather than the temperature inside the chamber. Fyvie et al. do not disclose sensing and adjusting the temperature inside the chamber as recited in Applicants' claims 11, 21, 34, and 45.

Although moisture and temperature sensors are not new to the dry-cleaning industry, the use of the sensors as claimed by Applicants is very different than that of Fyvie et al. and to achieve different purposes. Therefore, the combination of references is improper under 35 USC §103.

Applicants respectfully request withdrawal of the rejection of claims 9-11, 19-21, 24-26, 28-34, 42, 43, 45 and 47-49 which stand rejected under 35 USC §103 as being unpatentable over Estes, et al. (US 6,045,588) and Evers et al. (US 2003/0097718), in further of view of Fyvie, et al. (US 2004/0117920).

VI. Claims 23, 41, 46 and 50 stand rejected under 35 USC 103 (a) as being unpatentable over Estes, et al. (US 6045588), Evers, et al. (US2003/0097718) and Fyvie, et al. (US2004/117920) and Deak, et al. (US2005/0187125).

The USPTO states that it would have been obvious to one of ordinary skilled in the art to modify the methods taught by Estes, et al., Evers, et al. and Fyvie, et al. by incorporating the surfactants taught by Deak, et al.

Claims 23, 46 and 50 ultimately depend from claims 12 and 42, and are not obvious in

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view of the cited references for the reasons described above with regard to claims 12 and 42.

Applicants respectfully request withdrawal of the rejection of claims 23, 41, 46 and 50 which stand rejected under 35 USC § 103 as being unpatentable over Estes, et al. (US 6,045,588) and Evers, et al. (US 2003/0097718), in further of view of Fyvie, et al. (US 2004/0117920) and Deak, et al. (US2005/0187125).

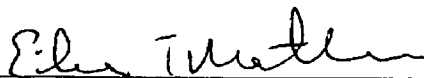
Conclusion

In summary, Applicants believes that this Amendment is fully responsive to the Office Action mailed on May 18, 2006, and that Applicants' claims include features that patentably define over the cited references. It is respectfully requested that for the foregoing reasons claims 1-34, 42-50 and new claims 51-60 of this application be found in condition for allowance. If the Examiner believes there are any further matters, which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0959, referencing our Docket No. US20030459 (094342.0033).

Respectfully submitted,
ROETZEL & ANDRESS

SEPTEMBER 18, 2006
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